

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NE/Corner York & Roundridge Roads
(2211 York Road) * DEPUTY ZONING COMMISSIONER
8th Election District
4th Councilmanic District * OF BALTIMORE COUNTY

Shashikant J. Desai, et ux * Case No. 97-210-SPH
Legal Owners; and, Timonium Office
Building Ltd. Part., Contract Lessee - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2211 York Road, located in the vicinity of the Maryland State Fairgrounds in Timonium. The Petition was filed by the owners of the property, Shashikant J. and Harshvina Desai, and the Contract Lessee, Timonium Office Building Limited Partnership, by Robert J. Aumiller, Agent, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval of parking for a business office use in an R.O. zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were John Chell, Robert Aumiller and Patricia A. Kilroy, representatives of Timonium Office Building Limited Partnership, the Contract Lessee, James E. Matis, Professional Engineer who prepared the site plan for this property, and G. Scott Barhight, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.679 acres, more or less, predominantly zoned R.O. with a small sliver of D.R. 2 zoned land in the northeast corner of the property.

ORDER RECORDED FOR FILING
Date 12/11/96
By [Signature]

MICROFILMED

The property is improved with a one-story building and basement which are currently utilized as a medical office building. The Petitioners are desirous of using the property as a parking lot to provide an additional 40 parking spaces for the existing two-story office building on the adjoining lot as shown on Petitioner's Exhibit 1. The existing medical office building is proposed to be removed and landscaping provided to screen the proposed parking area from the adjoining residential uses on Roundridge Road. However, due to the R.O. zoning of the property, a special hearing is necessary to proceed as proposed.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

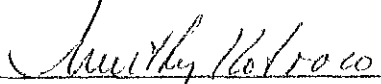
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1996 that the Petition for Special Hearing to approve parking for a business/office use in an R.O. zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County and the Office of Planning.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 12/11/96
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 10, 1996

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/Corner York & Roundridge Roads
(2211 York Road)
8th Election District - 4th Councilmanic District
Shashikant J. Desai, et ux, Legal Owners; and,
Timonium Office Building Ltd. Part., Contract Lessee - Petitioners
Case No. 97-210-SPH

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Shashikant J. Desai
2211 York Road, Lutherville, Md. 21093

Mr. Robert J. Aumiller, Agent, Timonium Office Bldg. Ltd. Part.
10455 Millrun Circle, 8th Floor, Owings Mills, Md. 21117

People's Counsel

File

MICROFILMED

210



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2211 York Road

which is presently zoned RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

pursuant to BCZR Section 409.8.B, parking for a business/office use in an RO zone

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

**Timonium Office Building
Limited Partnership**

(Type or Print Name)

Signature

10455 Millrun Circle - 8th Floor

Address

Owings Mills

City

MD

State

21117

Zipcode

Attorney for Petitioner.

G. Scott Barhight

(Type or Print Name)

Signature

4th Floor

210 W. Pennsylvania Ave

Address

Towson, MD 21204

City

State

832-2050

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Shashikant J. Desai

(Type or Print Name)

Signature

Harshvina Desai

(Type or Print Name)

Signature

2211 York Road

Address

Phone No

Lutherville, MD 21093

City

State

Zipcode

Name, Address and phone number of representative to be contacted

G. Scott Barhight

832-2050

4th Floor

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date

By

DROP OFF

NO REVIEW

11/8/96

WCR



MICROFILMED

**MATIS WARFIELD
CONSULTING ENGINEERS**

210
OLD

**Description to Accompany
Use Permit Application
Northeast Corner of York Road and Roundridge Road
8th Election District**

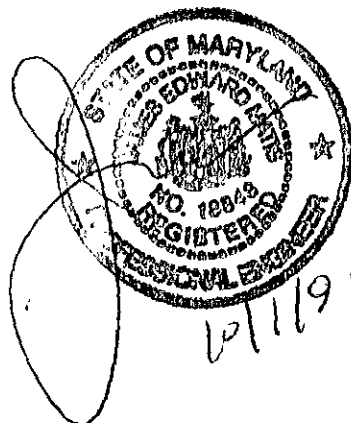
October 1, 1996

Beginning for the same at a point on the east side of York Road, said point distant North 20° 06' East 65 feet more or less from the point of intersection of centerlines for York Road and Roundridge Road, running thence and binding along the east side of York Road:

- 1) North 18°29' 26" West 168.00 feet running thence and leaving the east side of York Road
- 2) North 77°58' 00" East 130.31 feet thence
- 3) South 09°36' 32" East 186.47 feet to the north side of Roundridge Road, running thence and binding along the north side of Roundridge Road
- 4) by a curve to the left having a radius of 490.28 feet for a length of 76.00 feet running thence and binding on the cutoff from Roundridge Road to York Road
- 5) by a curve to the right having a radius of 25.00 feet for a length of 39.27 feet to the place of beginning.

Containing 0.495 acres of land more or less.

This description is intended for zoning purposes only and should not be used for conveyance of land.



WATSON-11-11-11

210

[illegible]

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

RECEIVED BY: [Signature]
DATE: 11/18/96

DATE 11/8/96 ACCOUNT 001-1190

AMOUNT \$250.00 (WCR)

RECEIVED FROM: Whitfield, Taylor & Freeman
3040 - GEORGETOWN, MARYLAND
2211 York Road

FOR: _____

[Signature]

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-210-SFH
(Item 210)

2211 York Road
NEO York and Roundridge

Roads
8th Election District

4th Councilmanic
Legal Owner(s):

Sushkanti J. Desai and
Harshma Desai

Contract Purchaser/Lessee:
Zonemaster Office Building

Special Hearing: to approve
parking for a business/office
use in an R.O. zone.

Hearing: Monday, December
9, 1996 at 2:00 p.m. in Rm
118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the file and/or Hearing,
Please Call 887-3391.

11/21/96 Nov. 21

C101107

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

11/25

, 1996

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 11/21, 1996.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ITEM 210

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE
PARKING FOR A BUSINESS / OFFICE USE
IN AN R.O. ZONE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
November 21, 1996 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue, 4th Floor
Towson, MD 21204
832-2050

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-210-SPH (Item 210)
2211 York Road
NEC York and Roundridge Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Shashikant J. Desai and Harshvina Desai
Contract Purchaser/Lessee: Timonium Office Building

Special Hearing to approve parking for a business/office use in an R.O. zone.

HEARING: MONDAY, DECEMBER 9, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

RECEIVED
DEC 11 1996
BALTIMORE COUNTY



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-210-SPH (Item 210)
2211 York Road
NEC York and Roundridge Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Shashikant J. Desai and Harshvina Desai
Contract Purchaser/Lessee: Timonium Office Building

Special Hearing to approve parking for a business/office use in an R.O. zone.

HEARING: MONDAY, DECEMBER 9, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Shashikant and Harshvina Desai
Timonium Office Building Limited Partnership
G. Scott Barhight, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 24, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 6, 1996

G. Scott Barhight, Esquire
4th Floor
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 210
Case No.: 97-210-SPH
Petitioner: Shashikant J. Desai

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

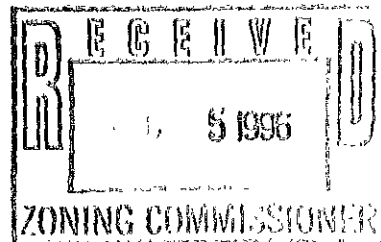
97-210-5PH
12/9

TO: Arnold Jablon, Director
Permits and Development Management

DATE: December 4, 1996

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 2211 York Road

INFORMATION:

Item Number: 210

Petitioner: Timonium Office Building Limited Partnership

Property Size: _____

Zoning: RO

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site in question is located at 2211 York Road in an RO zone. A Special Hearing has been requested seeking approval for parking in a residential zone, which would allow the razing of an existing one-story office building and construction of a parking lot for use by the tenants, patrons and employees of the 2205 York Road office building. It should be noted that the existing building suffers to a large degree from deferred maintenance.

The site is located within the Hunt Valley-Timonium Redevelopment Study area (adopted by the Baltimore County Planning Board on April 1, 1993) along the York Road commercial corridor, and adjacent to a Community Conservation area. Redevelopment of the site as a parking lot is consistent with the plan provided the following comments are addressed:

1. A landscape plan indicating the following should be submitted to the Office of Planning and the Baltimore County Landscape Architect:
 - a.) A minimum 10' wide dense evergreen buffer along the eastern property line providing an adequate screen for the adjacent residence.
 - b.) Streetscape along York Road containing street trees and low plantings.
2. The Special Exception Case Nos. 80-6X and 81-143 should be abandoned by the granting of the Special Hearing.
3. Any proposed free-standing sign for the parking lot should be shown on the plan.

Prepared by: Jeffrey W. LongDivision Chief: Gary L. Kerns

AFK/JL:vjc

ZAC210/PZONE/ZAC1

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: November 25, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 November 25, 1996
 Item No. 210

The Development Plans Review Division has reviewed the subject zoning item. If granted, the landscape buffer adjacent to the residence must include 5' wood fence next to the parking lot with a mixed planting of trees and shrubs on the residential side of the fence.

A Schematic Landscape Plan must be submitted that includes the above buffer as well as an appropriate planting scheme for other property edges.

RWB:HJO:jrb

cc: File

ZONE38D

11/28/96 10:51 AM

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Nov 18, 96

DATE: 11/19/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

204
208
209
(210)
211

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 11/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF NOV. 18, 1996.

Item No.: SEE BELOW

Zoning Agenda:

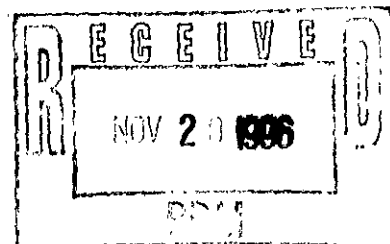
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 204, 208, 209 AND (210.)

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11-20-96
Item No. 210 (WCR)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.
Thank you for the opportunity to review this item.

Very truly yours,

P. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECORDED

210



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

RECEIVED AUG 17 1996

Mr. James E. Matis, P.E.
Matis Warfield, Inc.
6600 York Road
Suite 209
Baltimore, MD 21212

RE: Zoning Verification
Commercial Parking in
Residential Office (RO) Zones

Dear Mr. Matis:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your inquiry is if commercial parking can be permitted in a Residential Office (RO) zone. Per Sections 204.3.A.1. and 409.8.B., application for this use is permitted provided all site standards (i.e., aisle width, typical parking space dimensions, setbacks to the street right-of-way, etc.) can be met.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "John J. Sullivan, Jr.".

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj

Enclosure





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 8, 1996

G. Scott Barhight, Esquire
4th Floor
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Drop-Off Petition (Item #210)
2211 York Road.
8th Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures





Baltimore County
Department of Permits and
Development Management

97-210.877

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 29, 1996

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
4th Floor
Towson, MD 21204

RE: Drop-Off Petition Review (Item #210)
2211 York Road
8th Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

The telephone number for the legal owner needs to be added to the petition form.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Kellman".

Mitchell J. Kellman
Planner II
Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
2211 York Rd, NEC York and Roundridge Rds		
8th Election District, 4th Councilmanic	*	ZONING COMMISSIONER
Legal Owner(s): Shashikant Desai, et ux.	*	OF BALTIMORE COUNTY
Contract Purchaser/Lessee: Timonium Office		
Building L.P.	*	CASE NO. 97-210-SPH
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

210

10/23/16

Drop - Off + Request - Use Permit Parking
In a Residential Zone

① If the applicant wishes to proceed w/ a public hearing in lieu of the posting only procedure, the "Special Hearing" forms are required. The use permit forms submitted are only for public hearing when a proponent opposes the use permit request.

② Landscaping appears to be placed on the adjacent property concerns it. There should be an easement set up on the owner's property for maintenance and also a letter of consent.

M. de la Cruz

APPLICATION, (PROTESTANT'S) PUBLIC HEARING REQUEST
AND ZONING COMMISSIONER'S ORDER
FOR A USE PERMIT FOR
BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE

The applicant must provide all fees, 3 of these completed application forms with original signatures and 6 copies of a site plan meeting minimum acceptable standards for zoning review as determined by the staff. The non-residential property zoning hearing checklist for these standards may be used as a guide. Sealed plans are not necessary, unless required by the staff.

APPLICATION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Shashikant J. & Harshvina Desai legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made part hereof, hereby petition for a use permit under Section 409.8B of the Baltimore County Zoning Regulations (BCZR), to determine whether or not the Zoning Commissioner should issue a use permit. Said use permit is necessitated to permit the use of land in a residential zone for business or industrial parking facilities to meet the requirements of Subsection 409.6.

Property is to be posted and I, or we, agree to pay expenses of processing and posting upon filing of this request, additional public hearing and reposting fees if I decide to proceed after a protestant's public hearing request and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

X	<u>10/14/96</u> Date	<u>2211 York Road</u> Address (type or print)
X	<u>Shashikant J. Desai m.d.</u> Legal Owner(s) Signature(s) Shashikant J. Desai	<u>Lutherville, Maryland 21093-7312</u> City Zip Code
X	<u>Harshvina Desai</u> Legal Owner(s) Signature(s) Harshvina Desai	X Phone Number - Work <u>561 0161</u> Home <u>666 2450</u>

PUBLIC HEARING REQUEST

I, or we, _____ request that the proposed Use Permit be the subject of a public hearing as provided for in Section 409.8.B.8.(D) of the Baltimore County Zoning Regulations (BCZR). I also agree to pay the current established processing fee for this public hearing request.

_____	_____
Date	Address (type or print)
_____	_____
Protestant(s) Signature(s)	City Zip Code
_____	_____
Protestant(s) Signature(s)	Phone Number - Work _____ Home _____

ORDER

Pursuant to the posting of the property, in accordance with Section 409.8.B.1.(A), and in the absence of a formal public hearing request, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____ day of _____, 19____, that the herein described USE PERMIT FOR BUSINESS AND/OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE IS/IS NOT in keeping with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and the use WILL/WILL NOT be detrimental to the health, safety, and general welfare of the surrounding community and in accordance with the site plan dated _____ and description filed by the petitioner, is hereby _____ subject to strict compliance with all of the provisions of Section 409.8.B.2 and the following site specific restrictions which are conditions precedent to the granting of the use permit:

Zoning Commissioner
By: _____

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
USE PERMIT FOR BUSINESS OR INDUSTRIAL PARKING IN A
RESIDENTIAL ZONE**

Zoning Administration and Development Management (ZADM)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Use Permit has been reviewed and is accepted for filing by
_____ on _____
(name of planner) Date (A)

A sign indicating the proposed Use Permit must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of posting is \$35.00 per sign and processing \$200.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Postedby: _____ Date of Posting: _____
Signature

Number of Signs: _____

USE-PARK
Revised 1/4/95

INFORMATION SHEET FOR ZONING USE PERMIT FOR BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE

BE AWARE THAT THIS USE PERMIT IS FOR ZONING ONLY. IT IS THE RESPONSIBILITY OF THE APPLICANT TO DETERMINE IF THERE ARE ANY ADDITIONAL STATE OR COUNTY AGENCY APPROVALS NECESSARY TO PERMIT THE USE AND TO MEET ANY REQUIREMENTS OF THESE AGENCIES PRIOR TO ESTABLISHING THE PARKING USE.

SIGN AND POST MUST BE RETURNED TO THE ZONING OFFICE OR A FEE WILL BE CHARGED AND MUST BE PAID PRIOR TO ISSUANCE OF THE USE PERMIT OR, IN THE EVENT OF A CHALLENGE, PRIOR TO ACCEPTANCE OF A SPECIAL HEARING REQUEST.

BE AWARE THAT SHOULD A PROTESTANT DEMAND A ZONING PUBLIC HEARING, THIS USE PERMIT APPLICATION IS SUPERCEDED AND THE APPLICANT MUST THEN FILE FOR A ZONING SPECIAL HEARING FOR WHICH ADDITIONAL FEES WILL BE CHARGED. SHOULD SITE STANDARDS REQUIRED BY THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) NOT BE MET, ZONING PUBLIC HEARINGS WILL BE REQUIRED TO RELIEVE SAID DEFICIENCIES. STAFF SUGGESTS THAT IF THIS OCCURS THAT THE APPLICANT CONSIDER A SPEICAL HEARING TO PERMIT THE RESIDENTIAL PARKING USE IN COMBINATION WITH THE OTHER REQUIRED ZONING HEARING(S).

USE-PARK
Revised 1/4/95

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 547-8700
FAX 410 752-7092

40 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

G. SCOTT BARRHIGHT
DIRECT NUMBER
410 832-2050
2029522@mcimail.com

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015

96-5633
To: MJK
Cursory check
10/24/96
1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659 6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5712
FAX 703 836-0265

210

October 22, 1996

DELIVERY BY HAND

Arnold Jablon, Director
Department of Permits &
Development Management
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

**Re: Use Permit Application
Northeast Corner of York Road and Roundridge Road
Request for Public Hearing**

Dear Mr. Jablon:

Please be advised that this office represents Timonium Office Building, Limited Partnership, the tenant of the property located on the northeast corner of York Road and Roundridge Road. Timonium Office Building, Limited Partnership, the Petitioner, desires to utilize the subject property for the benefit of its office building located on the southeast corner of York and Roundridge Roads.

Enclosed are three original Applications for Use Permit executed by the legal owners, Shashikant Desai and Harshvina Desi, four copies of the zoning description, three copies of the 200 scale zoning map and 12 copies of the Plat to Accompany Use Permit. Also enclosed is a check made payable to Baltimore County, Maryland in the amount of \$250.00.

On behalf of the Petitioner, I hereby request that the proposed Use Permit be the subject of a public hearing as provided for in Section 409.8.B.8.(D) of the Baltimore County Zoning Regulations. Petitioner agrees to pay all additional fees necessary for the public hearing request.

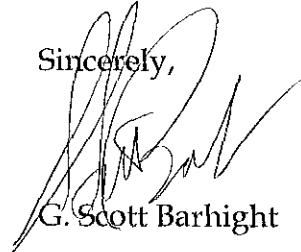
Arnold Jablon, Director

October 22, 1996

Page 2

Should you have any questions or comments regarding this Application for a Use Permit and request for hearing, please feel free to contact me.

Sincerely,



G. Scott Barhight

GSB:sll

Enclosures

cc: Mr. John Chell
Mr. Robert J. Aumiller

90891

Neal SPT Forms

3 fillout +

signed - Carl

MTK

MICROFILMED

MATIS WARFIELD
CONSULTING ENGINEERS

**Mr. Arnold Jablon, Director
Baltimore County Office of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204**

RE: Commercial Parking in RO Zones

July 23, 1996

Dear Mr. Jablon,

Our office represents the contract purchaser of a lot which is presently zoned RO. The contract purchaser desires to construct a surface parking lot for a passenger vehicles. The parking lot will supplement an existing building located in a BL zone on an adjacent lot. The adjacent lot presently has adequate parking under the current zoning requirements. The additional parking will be provided on the RO zoned lot only to serve practical needs of the tenants in the existing building.

I have reviewed the BCZR with respect to parking in a RO zone. Section 204.3A. does not appear to permit commercial offstreet parking as of right. Likewise, Section 204.3B.1. does not appear to permit commercial offstreet parking by special exception. Parking would appear to be permitted only if it is accessory to a use permitted either by right or by special exception in the RO zone.

I spoke today with a zoning technician in your office, and they suggested that such a parking lot may be permitted under a "use permit" pursuant to Section 409.8B. I was of the understanding that Section 409.8B relates to commercial parking in a residential zone. Based on a reading of Section 101 it appears that a RO zone is not classified as a residential zone. I am therefore not convinced that this is the proper procedural process.

Prior to making any deposits on the property, the contract purchaser desires clarification as to the required zoning process necessary to pursue approval of the parking lot. I would therefore appreciate a formal opinion from your office indicating the required zoning process and detailing the bulk regulations which would govern such a parking lot.

I have enclosed a check in the amount of \$ 40.00 to cover the fee associated with this request. I thank you and your staff for your kind assistance in this matter.

Very truly yours,
MATIS WARFIELD, INC.


James E. Matis, P.E.

JEM:atm

Enclosure: \$ 40.00 review fee

cc: J. Scott Wimbrow

MATIS WARFIELD, INC.
6600 York Road • Suite 209 • Baltimore, Maryland 21212
Tel: 410-377-7596 • Fax: 410-377-7657

Handwritten note: Matis Warfield, Inc.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Robert Amiller
John Chell
James E. Mates
Patricia A. Kelley

ADDRESS
2328 W. JUPPA RD Lutherville 21093
10455 Mid Run Circle Orange, Md 21117
6600 York Road Suite 208
BALTIMORE, MD 21212
2328 W. JUPPA RD Lutherville, MD 21093





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 10, 1996

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/Corner York & Roundridge Roads
(2211 York Road)
8th Election District - 4th Councilmanic District
Shashikant J. Desai, et ux, Legal Owners; and,
Timonium Office Building Ltd. Part., Contract Lessee - Petitioners
Case No. 97-210-SPH

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Shashikant J. Desai
2211 York Road, Lutherville, Md. 21093

Mr. Robert J. Aumiller, Agent, Timonium Office Bldg. Ltd. Part.
10455 Millrun Circle, 8th Floor, Owings Mills, Md. 21117

People's Counsel

File

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NE/Corner York & Roundridge Roads
(2211 York Road) * DEPUTY ZONING COMMISSIONER
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District

Shashikant J. Desai, et ux * Case No. 97-210-SPH
Legal Owners; and, Timonium Office
Building Ltd. Part., Contract Lessee - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2211 York Road, located in the vicinity of the Maryland State Fairgrounds in Timonium. The Petition was filed by the owners of the property, Shashikant J. and Harshvina Desai, and the Contract Lessee, Timonium Office Building Limited Partnership, by Robert J. Aumiller, Agent, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval of parking for a business office use in an R.O. zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were John Chell, Robert Aumiller and Patricia A. Kilroy, representatives of Timonium Office Building Limited Partnership, the Contract Lessee, James E. Matis, Professional Engineer who prepared the site plan for this property, and G. Scott Barhight, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.679 acres, more or less, predominantly zoned R.O. with a small sliver of D.R. 2 zoned land in the northeast corner of the property.

The property is improved with a one-story building and basement which are currently utilized as a medical office building. The Petitioners are desirous of using the property as a parking lot to provide an additional 40 parking spaces for the existing two-story office building on the adjoining lot as shown on Petitioner's Exhibit 1. The existing medical office building is proposed to be removed and landscaping provided to screen the proposed parking area from the adjoining residential uses on Roundridge Road. However, due to the R.O. zoning of the property, a special hearing is necessary to proceed as proposed.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

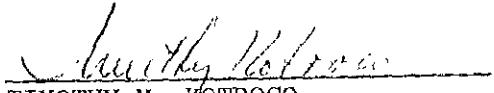
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1996 that the Petition for Special Hearing to approve parking for a business/office use in an R.O. zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County and the Office of Planning.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

210

92-312-SPH
195-377-SPHA

RMR

B M

96-435-14

YORK ROAD

RO

SITE

ROUNDRIDGE ROAD

BL

PRO

GREENMEADOW

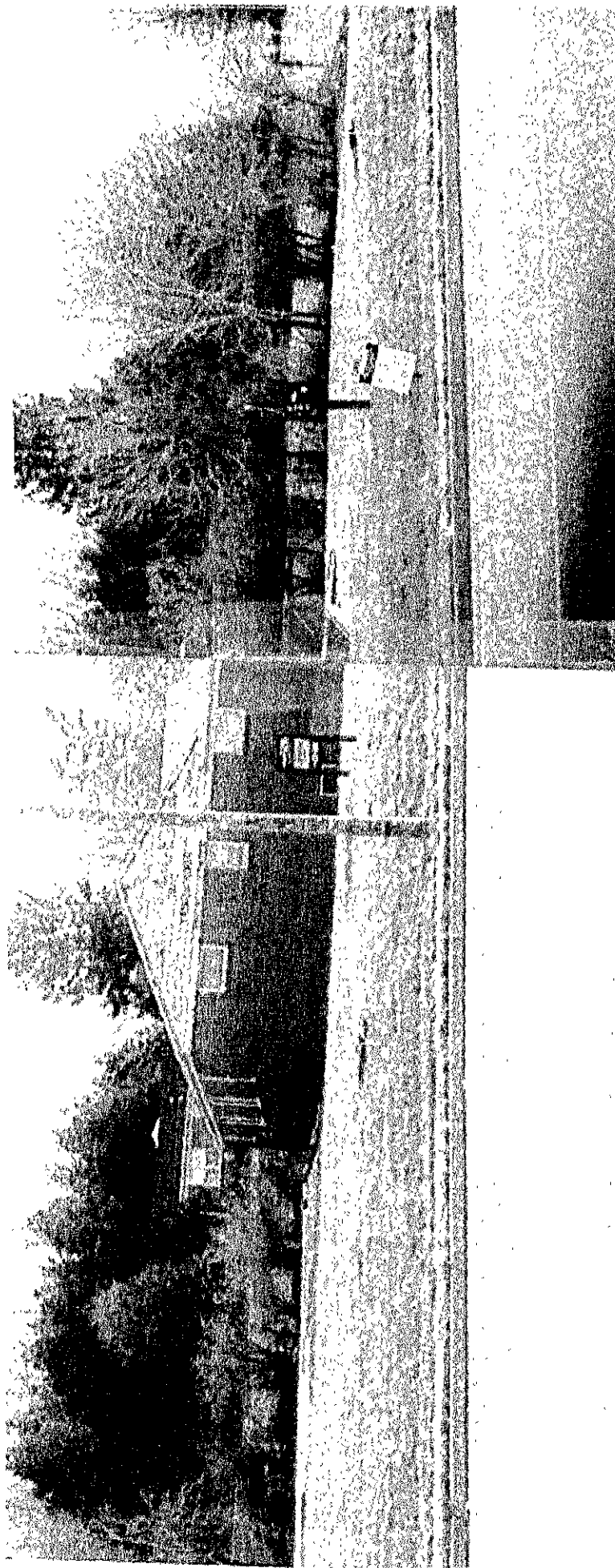
97-210-
SPH
MR-

MR-IM

**EXHIBIT TO ACCOMPANY
USE PERMIT APPLICATION
FOR A PASSENGER VEHICLE PARKING
LOT IN AN EXISTING RO ZONE
PART OF ZONING MAP NW 14A
2 ROUNDRIIDGE ROAD
ELECTION DISTRICT NO. 8**

2000-01-10 10:00 AM

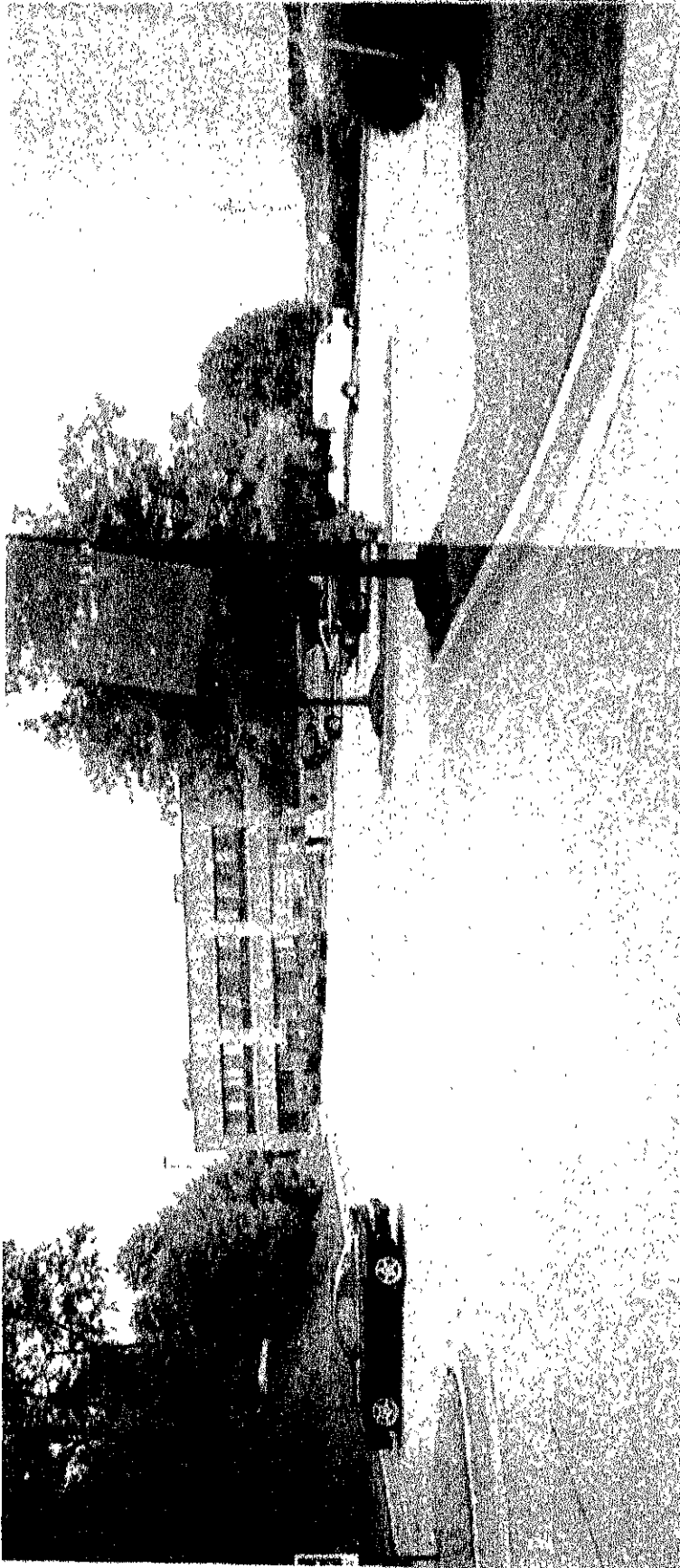
2A



VIEW LOOKING EAST FROM
YORK ROAD
TOWARD SITE

UNRECORDED

2C



VIEW LOOKING SOUTH
FROM ROUND RIDGE ROAD
TOWARD EXISTING
BLUE CROSS BUILDING

